

**CITY COUNCIL MEETING
CITY OF WATERTOWN
February 21, 2012
7:00 P.M.**

Mayor Jeffrey E. Graham Presiding

Present: Council Member Roxanne M. Burns
Council Member Teresa R. Macaluso
Mayor Graham

Absent: Council Member Joseph M. Butler, Jr.
Council Member Jeffrey M. Smith

Also Present: Mary M. Corriveau, City Manager
Robert J. Slye, City Attorney

City staff present: Jim Mills, Ken Mix, Kurt Hauk, Elliott Nelson, Chief Goss, Chris Audette, Justin Wood, Rich Cohen, Mike Sligar

The City Manager presented the following reports to Council:

- Resolution No. 1 - Performance Reviews of City Manager and City Clerk
- Resolution No. 2 - Approving Supplemental Appropriation No. 1 For Fiscal Year 2011-12 for Various Accounts
- Resolution No. 3 - Re-Adoption of Fiscal Years 2011-12 through 2015-2016 Capital Budget
- Resolution No. 4 - Approving Alcohol Sales Policy For the City of Watertown, City Owned Property
- Resolution No. 5 - Approving Professional Services Agreement With GHD
- Resolution No. 6 - Amending the September 20, 2010 Site Plan Approval for the Ives Hill Retirement Community at 1200 Jewell Drive, Parcels 14-49-101, 14-49-101.101, and 14-49-101.005
- Resolution No. 7 - Authorizing Sale of Real Property, Known as 138 Court Street to Alex D. Rahmi, 638 Marlow Road, Charles Town, West Virginia 25414
- Ordinance No. 1 - Amending Section 265-2 of the City Code, Naming of Streets and Numbering of Buildings
- Ordinance No. 2 - An Ordinance Authorizing the Issuance of \$710,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the \$710,000 Estimated Maximum Cost of the Design of a Disinfection System at the City's Wastewater Treatment Plant
- Ordinance No. 3 - Approving the Request Submitted by David Wise of Stebbins Engineering to Change the Approved Zoning Classification of VL-1 Eastern Boulevard, Parcel 5-26-109.005, from Residence C to Light Industry

- Ordinance No. 4 - Changing the Approved Zoning Classification of 110 Parcels in the Public Square Area to Downtown District in Order to Implement the Local Waterfront Revitalization Program
- 7:30 p.m. Public Hearing - Ordinance Changing the Approved Zoning Classification of Various Government-Owned Parcels in Order to Implement with the Recommendations of the Local Waterfront Revitalization Program
- Continuation of the City of Watertown K-9 Program
- Engineering and Consultant Projects
- Sales Tax Revenue – January 2012
- F. P. Flower Memorial Library, Board of Trustees, Meeting Minutes of January 10, 2012

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of February 6, 2012, adjourned meeting of February 7, 2012 and adjourned meeting of February 13, 2012 was dispensed and accepted as written by motion of Council Member Roxanne M. Burns, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

PROCLAMATION

Mayor Graham interrupted the regular course of business to proclaim the week of February 19-25, 2012 as National Engineering Week in the City of Watertown. The proclamation was accepted by City Engineer Kurt Hauk as well as Justin Wood and Rich Cohen.

PRESENTATIONS

Financial Statements and Supplemental Information, June 30, 2011

Laurie J. Podvin, CPA, Poulsen & Podvin, P.C. addressed Council to review the results of the yearly audit. She stated that based on the audit, the financial statements present fairly and conform to the accounting principles generally accepted in the United States of America. She pointed out the financial highlights under the Management's Discussion and Analysis section and reviewed the Statement of Net Assets, Statement of Activities, Balance Sheet and Statement of Revenues, Expenditures and Changes in Fund Balances.

Mayor Graham asked if the interfund transfer referred to the bonds being paid down.

Ms. Podvin explained that the 1.2 million was the transfers between all the funds.

Mrs. Corriveau added that some of this amount goes to the Water and Sewer Fund and Capital Project Fund.

Mr. Mills further explained that a majority of it goes from the General Fund to the Library Fund.

Ms. Podvin commented that Supplemental Schedule #1 shows the budget amount comparison to the actual amount and stated there was a positive variance for the year of approximately 1.8 million on the revenue side. As far as expenditures, she stated this report shows that the City was pretty close with spending in accordance with the budget. She reviewed the Notes to Financial Statements drawing attention the sections showing that the funds were fully collateralized at the end of the year, the capital assets detailing fixed assets with depreciation, the long-term debt and the contributions to retirement benefits. She reviewed the other postemployment benefits stating that this liability is currently at 5.4 million and this is projected to be approximately 112 million dollars after 30 years. She added that this will cause the net assets to go into a hole but indicated that this is occurring in a lot of municipalities. She discussed the compliance testing and other reports required by the Single Audit Act because the City receives over \$500,000 of federal monies. Ms. Podvin highlighted the summary at the end of the report stressing that there were no significant deficiencies or instances of noncompliance disclosed during the audit. Ms. Podvin stated that there were two areas for improvement which are to improve credit approval, billing and collection guidelines for pay-per-bag stickers and receiving documentation.

In regards to the pay-per-bag stickers, she noted that one vendor owed \$17,273 with \$8,820 being 90 days overdue and stated that additional stickers were given the following month even though the previous month's stickers were not paid. She noted that the current policy is to bill vendors at the end of the month. She recommended that this policy be revised to address credit limits for each vendor, to require deposits or prepayment and to invoice vendors weekly instead of monthly. She stated that management's response was that the vendor was cut-off when the balance became 90 days old and the account was referred to the City Attorney for increased collection efforts. She added that management has started invoicing weekly and the policy will be modified to not allow deliveries of refuse stickers to vendors with unpaid balances over 60 days.

Mayor Graham asked if the City should be extending any credit because most retailers understand that they must buy a product in order to sell it.

Ms. Podvin replied that most businesses extend credit but this is a Council decision. She suggested that minimizing the risk will be accomplished by tightening the credit policy.

In response to Mayor Graham's inquiry, Mrs. Corriveau stated that Great American on State Street is the vendor being discussed. She explained that the vendors make 5 cents on each sticker that is sold. She commented that Great American has been cut off but they were a long-standing customer and are trying to bring the account up-to-date. She pointed out that the department followed the policies that were in place at that point in time.

Mayor Graham commented that this is similar to Parks and Recreation and feels people should not be able to charge things with the City. He stated that in the private sector a lot of people are

COD and if they are having cash flow problems then they should buy a small supply and sell that supply before obtaining more.

Mrs. Corriveau stated that there are some reporting requirements and restrictions that have to be put in place if the City starts getting into credit and credit background checks in order to protect that information. She added that this practice has been in place for 20 years and asked Mr. Mills if any other vendors have been delinquent.

Mr. Mills replied that the Big M on Washington Street had a problem in the past and the balance was adjusted off. At this time, he did not know the dollar amount that was adjusted.

Mayor Graham reiterated that he does not like extending credit on this and that it creates extra work for staff.

Ms. Podvin stated that the other issue they discussed was in receiving documentation and it was noted that 5 out of 60 disbursements lacked “receiving” documentation on the paid invoice. As an auditor, she stated that she cannot tell if something was received unless it is noted. She suggested that the receiving documentation be attached to the invoice paperwork. She indicated that management will reinforce this with the departments.

Mayor Graham asked for a status update on the issues related to Parks and Recreation.

Ms. Podvin advised that she went into June and made sure that everything was billed and deposited in a timely fashion. She noted that the billing for lacrosse was still based on head count so there was a little differential there. In response to Mayor Graham’s inquiry, she said that the scheduling software is not being used.

Mrs. Corriveau commented that it is not being used and they are looking into an alternative software package that will better meet their needs.

Mayor Graham asked if there is an ongoing cost to the current software.

Mrs. Corriveau stated that there is but she did not know the details of the contract. She explained that the decision not to use the software was made by her office after Mr. Nelson worked with the provider of the software to see if it could further meet the department’s needs.

Mayor Graham inquired if the license agreement should be terminated to cease the costs.

Council Member Burns asked when the software was purchased.

Mrs. Corriveau remarked that she did not know the exact date but it was when Mr. White was here and the decision for that software was made by Parks and Recreation, Mr. White and Information Technology.

Council Member Burns wondered if Mr. Keegan, IT Manager could explain this decision and provide insight as to why it might not be effective today.

Mrs. Corriveau explained that Mr. Keegan's role is to help a department implement the software that is selected by the department. She reiterated that the selection was a three way selection by Mr. White, IT Department and Parks and Recreation Department.

Council Member Burns asked if new software was going to be purchased and if the City will be able to get out of any ongoing fees for the software that is not currently used.

Mrs. Corriveau responded that City Council will have the opportunity to make that decision when the appropriate package is found.

Mayor Graham asked Ms. Podvin for her opinion of automated payments and ATM machines.

Ms. Podvin remarked that most people do things electronically but there is a cost associated with it. Overall, she indicated that the City is in favorable shape and added that there is a great staff doing the accounting.

Mayor Graham thanked Ms. Podvin and the staff for their hard work.

The Audit report is on file in the City Clerk's Office

COMMUNICATIONS

A letter was received from Richard McDonald, Region 6 Office of New York State Department of Environmental Conservation, stating his office agrees with the zone change for parcel # 1-18-102.001 and parcel # 1-18-102.002 but believes that the Property Class Code for both parcels should be updated to more accurately reflect their authorized use. This re-classification of the Zoning Code and the updating of the Property Class Code should not pose any difficulties with future implementation of a Local Waterfront Revitalization Program.

Above communication was placed on file in the office of the City Clerk.

PRIVILEGE OF THE FLOOR

No one addressed the chair.

PUBLIC HEARING

At 7:30 P.M. Mayor Graham asked the City Clerk to read the notice of Public Hearing Concerning Changing the Approved Zoning Classification of Various Government-Owned Parcels in Order to Implement with the Recommendations of the Local Waterfront Revitalization Program

Mayor Graham declared the hearing open at 7:36 P. M.

No one addressed the chair.

Mayor Graham mentioned that the letter that was discussed during communications was in regards to this topic.

Mayor Graham declared the hearing closed at 7:37 P.M.

RESOLUTIONS

Resolution No. 1 - Performance Reviews of City Manager and City Clerk

Introduced by Council Member Roxanne M. Burns

WHEREAS the Charter of the City of Watertown under Title III, Section 20-8 requires performance reviews of the City Manager and City Clerk, and

WHEREAS the City Manager, Mary M. Corriveau, and the City Clerk, Ann M. Saunders, have submitted to City Council a list of accomplishments for the past year, and

WHEREAS due to the short tenure of Ms. Saunders (in office since January 1, 2012) and the pending retirement of Ms. Corriveau (by or before April 28, 2012), the Council declined further discussion or review of performances at its meeting of February 13, 2012,

THEREFORE BE IT RESOLVED the City Council of the City of Watertown accepts the attached summaries as the sole action in satisfaction of the Charter requirement.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 2 - Approving Supplemental Appropriation No. 1 For Fiscal Year 2011-12 for Various Accounts

Introduced by Council Member Teresa R. Macaluso

RESOLVED by the City Council of the City of Watertown, New York that the total amount of \$250,000 is hereby transferred and appropriated from and to the following accounts of the Sewer Fund for FY 2011-12:

<u>Expenditures</u>		
G 9945.0900	Transfer to Capital Reserve	(\$ 250,000)
G 9950.0900	Transfer to Capital Fund	<u>250,000</u>
Total		<u>\$ -</u>

Seconded by Council Member Roxanne M. Burns and carried with all voting yea.

Resolution No. 3 - Re-Adoption of Fiscal Years 2011-12 through 2015-2016 Capital Budget

Introduced by Council Member Roxanne M. Burns

WHEREAS on June 1, 2011 the City Council adopted the Fiscal Years 2011-12 through 2015-16 Capital Budget, and

WHEREAS City Council desires to accept the bid submitted by GHD Consulting Engineers, LLC for the design and construction phase services of the Wastewater Treatment Plant Disinfection System project in the amount of \$706,800, and

NOW THEREFORE BE IT RESOLVED that the Fiscal Years 2011-12 through 2015-16 Capital Budget is amended to include the Wastewater Treatment Plant Disinfection System Design project at an estimated cost of \$710,000 in FY 2011-12.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 4 - Approving Alcohol Sales Policy For the City of Watertown, City Owned Property

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City of Watertown owns recreational facilities utilized for sporting events, concerts and/or performances, and public assemblies where the sponsor of the event may wish to lawfully sell alcohol to attendees, and

WHEREAS the sale of alcohol is unlawful unless it is pursuant to a valid permit or license, and such permits and licenses for sales on City owned property cannot be obtained without City approval, and

WHEREAS the City Council wishes to establish a policy for the sale of alcohol on City owned facilities, and

WHEREAS with the attached Alcohol Sale Policy was reviewed and endorsed by the City Council at the February 13, 2012 City Council Work Session,

NOW THEREFORE BE IT RESOLVED that the City Council approves the Alcohol Sales Policy on City Owned Property, a copy of which is attached and made a part of said resolution, and

BE IT FURTHER RESOLVED that this Policy shall go into effect immediately, and any applications considered after the date of adoption of this Policy shall be in keeping with the guidelines established in the Policy.

Seconded by Council Member Roxanne M. Burns

Prior to the vote on the foregoing resolution, Mayor Graham stated that he was glad to see this policy finished and appreciated the efforts of Mr. Slye and Mr. Casale.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 5 - Approving Professional Services Agreement With GHD

Introduced by Council Member Roxanne M. Burns

WHEREAS in February 2011 the City's new State Pollution Discharge Elimination System (SPDES) permit for the Waste Water Treatment Plant had new language incorporated requiring the installation of a disinfection system at the Plant's outfalls, and

WHEREAS the permit required the basis of design for this new system to be submitted within eight (8) months of the effective date of the new permit, and

WHEREAS an Agreement with Stearns and Wheler GHD was approved by City Council on March 7, 2011 to perform the basis of a design of the disinfection system for submittal and approval by the NYSDEC, and

WHEREAS the design was submitted in August 2011 and approval was granted October 27, 2011, and

WHEREAS the New York State Department of Environmental Conservation (NYSDEC) has notified the City of Watertown on October 27, 2011 that they approved the basis of design of the disinfection systems for the City's State Pollution Discharge Elimination System (SPDES) Permit,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Professional Services Agreement with GHD to perform the preliminary design, final design and construction administration services for the disinfection system at the Wastewater Treatment Plant, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that City Manager, Mary M. Corriveau, is hereby authorized and directed to execute the Agreement with Stearns & Wheler GHD on behalf of the City of Watertown, and

BE IT FURTHER RESOLVED that approval of said Agreement is subject to the City Council approving the funding to support the project scope.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 6 - Amending the September 20, 2010 Site Plan Approval for the Ives Hill Retirement Community at 1200 Jewell Drive, Parcels 14-49-101, 14-49-101.101, and 14-49-101.005

Introduced by Council Member Teresa R. Macaluso

WHEREAS Patrick Scordo, PE of GYMO, PC on behalf of Purcell Construction has submitted a request to amend the September 20, 2010 site plan approval for the Ives Hill

Retirement Community at 1200 Jewell Drive, parcels 14-49-101, 14-49-101.101, and 14-49-101.005, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan amendment at its meeting held on February 7, 2012, and recommended that the City Council of the City of Watertown approve the site plan amendment with the following condition:

- 1) The emergency access road from Jewell Drive to Ives Street shall be properly maintained on a year-round basis to include daily snow removal, and resurfacing and grading when required by the City Engineer,

and,

WHEREAS the City Council has previously declared that this project will not have a significant effect on the environment, pursuant to the State Environmental Quality Review Act,

NOW THEREFORE BE IT RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Codes Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Codes Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that the amended site plan approval is hereby granted to Patrick Scordo, PE of GYMO, PC on behalf of Purcell Construction for the removal of an emergency access road at the Ives Hill Retirement Community, 1200 Jewell Drive, parcels 14-49-101, 14-49-101.101, and 14-49-101.005, as submitted to the City Engineer on January 12, 2012, contingent on the applicant meeting the condition recommended by the Planning Board as listed above.

Seconded by Council Member Roxanne M. Burns and carried with all voting yea.

Resolution No. 7 - Authorizing Sale of Real Property, Known as 138 Court Street to Alex D. Rahmi, 638 Marlow Road, Charles Town, West Virginia 25414

Introduced by Mayor Jeffrey E. Graham

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 138 Court Street, approximately 42' x 160' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 07-01-126.000, and

WHEREAS title to said land has since been retained by the City of Watertown as

acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City of Watertown issued a Request for Proposals to redevelop 138 Court Street and Alex D. Rahmi, 638 Marlow Road, Charles Town, West Virginia, 25414, submitted the only proposal, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$20,000.00 submitted by Alex D. Rahmi for the purchase of Parcel No. 07-01-126.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Alex D. Rahmi upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown and the redevelopment of the property as described in the proposal submitted by Alex D. Rahmi on January 24, 2012 is not substantially under construction within one (1) year from the date of delivery of the quit claim deed of its sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by Council Member Teresa R. Macaluso

Motion was made by Council Member Roxanne M. Burns to table the foregoing resolution. Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

ORDINANCES

Ordinance No. 1 - Amending Section 265-2 of the City Code, Naming of Streets and Numbering of Buildings

Introduced by Council Member Roxanne M. Burns

BE IT ORDAINED where the City Council deems it in the public interest to control the naming of all streets within the City, public or private, to avoid confusion and delay in finding locations during emergency responses, and

BE IT FURTHER ORDAINED that Section 265-2 of the City Code of the City of Watertown is hereby amended to read as follows:

§ 265-2. Naming of streets and numbering of buildings.

- A. Publicly and privately owned streets and drives shall only be named by resolution of the City Council. Property owners may propose names on site plan or subdivision plat approval applications or through other means. All proposed names shall be checked for similarity with existing street names to reduce possible confusion during emergency responses.
- B. All buildings erected or hereafter to be erected shall be numbered as directed by the City Engineer. No person owning a building shall fail to procure from the City Engineer the proper number or numbers assigned therefore, nor shall any such owner fail to place and maintain the same thereon as hereafter provided. Numbers shall be not less than two and one-half (2 1/2) inches in height, of proportionate width and shall be placed and maintained in a permanent and durable manner where they can be seen at all times from the street.

and,

BE IT FURTHER ORDAINED that this amendment shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

Seconded by Council Member Teresa R. Macaluso

Laid over under the rules

Ordinance No. 2 - An Ordinance Authorizing the Issuance of \$710,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the \$710,000 Estimated Maximum Cost of the Design of a Disinfection System at the City's Wastewater Treatment Plant

Introduced by Council Member Teresa R. Macaluso

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital purposes; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section 1. To pay cost of the design of a disinfection system for the City's wastewater treatment plant, in and for the City of Watertown, Jefferson County, New York, and incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued \$710,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$710,000 and that the plan for the financing thereof is by the issuance of the \$710,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property of said City a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable, as shall be established in proceedings under Section 93 of the City Charter.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best

for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with,
and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in full in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Seconded by Council Member Roxanne M. Burns

Laid over under the rules

Ordinance No. 3 - Approving the Request Submitted by David Wise of Stebbins Engineering to Change the Approved Zoning Classification of VL-1 Eastern Boulevard, Parcel 5-26-109.005, from Residence C to Light Industry

Introduced by Council Member Teresa R. Macaluso

BE IT ORDAINED where David Wise of Stebbins Engineering has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of VL-1 Eastern Boulevard, parcel 5-26-109.005, from Residence C to Light Industry, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on February 7, 2012, and adopted a motion recommending that the City Council approve the zone change as requested, and

WHEREAS the Jefferson County Planning Board reviewed the request at its meeting held on February 28, 2012, pursuant to General Municipal Law Section 239-m, and

WHEREAS a public hearing was held on the proposed zone change on March 5, 2012, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change,

NOW THEREFORE BE IT ORDAINED that the zoning classification of VL-1 Eastern Boulevard, parcel 5-26-109.005, shall be changed from Residence C to Light Industry, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

Seconded by Council Member Roxanne M. Burns

Motion was made by Council Member Roxanne M. Burns to schedule a Public Hearing on the foregoing ordinance for Monday, March 5, 2012 at 7:30 P.M. Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

Ordinance No. 4 - Changing the Approved Zoning Classification of 110 Parcels in the Public Square Area to Downtown District in Order to Implement the Local Waterfront Revitalization Program

Introduced by Council Member Roxanne M. Burns

BE IT ORDAINED where certain changes to the City of Watertown's Zoning Map are required in order to implement the City's Local Waterfront Revitalization Program, and

WHEREAS the Planning Board of the City of Watertown considered the proposal to change the zoning for 110 parcels in the Public Square area to Downtown District at its meeting held on February 7, 2012, and adopted a motion recommending that the City Council approve the zone changes, and

WHEREAS the Jefferson County Planning Board reviewed this proposal at its meeting held on February 28, 2012, pursuant to General Municipal Law Section 239-m, and

WHEREAS a public hearing was held on the proposed zone changes on March 5, 2012, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the proposed zone changes,

NOW THEREFORE BE IT ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Downtown District**:

10-01-101.000	120 WASHINGTON ST
10-01-106.000	117 ARSENAL ST
10-01-107.000	11 PUBLIC SQ
10-01-109.000	3-5-7 PUBLIC SQ
10-01-111.000	1 PUBLIC SQ
10-01-112.000	102 WASHINGTON ST
10-01-113.000	104 WASHINGTON ST
10-01-201.000	142 ARCADE ST
10-01-211.000	127 ARSENAL ST
10-01-213.100	120 ARCADE ST
10-06-103.000	132 CLINTON ST
10-06-103.001	VL-2 CLINTON ST
10-06-103.002	VL-4 CLINTON ST
10-06-117.000	177 STONE ST

10-06-118.000	171 STONE ST
10-06-119.000	161 STONE ST
10-06-124.000	200 WASHINGTON ST
10-06-126.000	216 WASHINGTON ST
10-06-127.000	228 WASHINGTON ST
10-06-128.000	242 WASHINGTON ST
10-06-129.000	260 WASHINGTON ST
11-01-110.000	225 GOODALE ST
11-01-112.000	200 FRANKLIN ST
11-01-115.000	230 FRANKLIN ST
11-01-201.000	245 WASHINGTON ST
11-01-211.000	229 WASHINGTON ST
11-01-212.000	215 WASHINGTON ST
11-01-213.000	131 WASHINGTON ST
11-01-214.000	121 WASHINGTON ST
11-01-216.000	105 WASHINGTON ST
11-01-217.000	12 PUBLIC SQ
11-01-218.000	16 PUBLIC SQ
11-01-219.000	18 PUBLIC SQ
11-01-220.000	24 PUBLIC SQ
11-01-221.000	114 FRANKLIN ST
11-01-221.001	114 REAR FRANKLIN ST
11-01-223.000	124 FRANKLIN ST
11-01-225.000	136 FRANKLIN ST
12-01-107.000	231 FRANKLIN ST
12-01-108.000	26-44 PUBLIC SQ
12-01-109.000	50 PUBLIC SQ
12-01-111.000	206 STATE ST
12-01-112.000	226 STATE ST
12-01-113.000	234 STATE ST
6-01-301.001	150 FACTORY ST
6-01-301.002	120 FACTORY ST
6-01-403.000	123 POLK ST
6-01-405.000	291 STATE ST
6-01-406.000	261 STATE ST
6-01-409.000	235 STATE ST

6-01-411.000	221 STATE ST
6-01-412.000	76-80 PUBLIC SQ
6-01-413.000	82-90 PUBLIC SQ
6-02-201.000	342 FACTORY ST
6-02-202.000	303 MECHANIC ST
6-02-203.000	231 MECHANIC ST
6-02-204.000	225 MECHANIC ST
6-02-205.000	176 POLK ST
6-02-206.000	202 FACTORY ST
6-02-207.000	218 FACTORY ST
6-02-208.000	224 FACTORY ST
6-02-209.000	230 FACTORY ST
6-02-210.000	236 FACTORY ST
6-02-211.000	246 FACTORY ST
6-02-212.000	306 FACTORY ST
6-02-214.000	316 FACTORY ST
6-02-215.000	334 FACTORY ST
6-02-401.003	306 REAR FACTORY ST
7-01-101.000	107 PUBLIC SQ
7-01-101.001	109 MILL ST
7-01-102.000	103-05 PUBLIC SQ
7-01-103.000	101 PUBLIC SQ
7-01-104.000	89-99 PUBLIC SQ
7-01-105.000	85-87 PUBLIC SQ
7-01-106.000	81 PUBLIC SQ
7-01-107.000	77-79 PUBLIC SQ
7-01-108.000	75 PUBLIC SQ
7-01-109.000	71-73 PUBLIC SQ
7-01-110.000	67-69 PUBLIC SQ
7-01-111.000	63-65 PUBLIC SQ
7-01-112.000	53 PUBLIC SQ
7-01-112.001	41 PUBLIC SQ
7-01-112.002	VL-3 J B WISE PL
7-01-113.000	35-39 PUBLIC SQ
7-01-114.000	31 PUBLIC SQ
7-01-115.000	108 REAR COURT ST

7-01-116.000	29 PUBLIC SQ
7-01-116.001	25 PUBLIC SQ
7-01-117.000	104 COURT ST
7-01-118.000	108 COURT ST
7-01-120.000	112 COURT ST
7-01-121.000	114 COURT ST
7-01-122.000	118 COURT ST
7-01-123.000	122-30 REAR COURT ST
7-01-123.001	130 COURT ST
7-01-124.000	132 COURT ST
7-01-125.000	136 COURT ST
7-01-126.000	138 COURT ST
7-01-127.000	150 COURT ST
7-01-129.000	152 COURT ST
7-01-130.000	170 COURT ST
7-01-132.000	259 J B WISE PL
7-01-134.000	223 J B WISE PL
7-01-135.000	VL-1 J B WISE PL
7-02-101.000	105 COURT ST
7-02-102.000	L146 ARSENAL ST
7-02-102.001	146 ARSENAL ST
7-03-103.000	210 COURT ST
7-03-201.000	302 COURT ST
7-04-101.000	205 COFFEEN ST

and,

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect these changes, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

Seconded by Council Member Teresa R. Macaluso

Motion was made by Council Member Roxanne M. Burns to schedule a Public Hearing on the foregoing ordinance for Monday, March 5, 2012 at 7:30 P.M. Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

The Ordinance "Changing the Approved Zoning Classification of Various Government-Owned Parcels in Order to Implement with the Recommendations of the Local Waterfront Revitalization Program" (Introduced on 2/6/2012 ; public hearing held this evening; appears in its entirety on page #'s 27-28 of the 2012 Minutes Book).

At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yeas.

DISCUSSIONS

Continuation of the City of Watertown K-9 Program

Mrs. Corriveau stated that the City is required to upfront the cost of the dog. She reminded Council that Sam's Club Foundation donated \$2,000 in November 2005 to be used towards this but the total cost is estimated at approximately \$7,000.

Mayor Graham mentioned that since the previous dog, Ema, passed away, there has not been a K-9 program.

Joseph Goss, Police Chief stated that the Sheriff's Department is starting a school in April and it would be nice to be a part of this school because it is local. He mentioned that some citizens want to help offset the cost and he has spoken with Mr. Mills on how this should be handled

The following resolution was presented to Council:

Introduced by Council Member Roxanne M. Burns

WHEREAS the City of Watertown's K-9 dog, Ema, passed away in 2011 leaving the City without an active K-9 program, and

WHEREAS it is Chief Joseph Goss' desire to move forward with acquiring a dog and enrolling the dog in the County Sheriff's upcoming K-9 training school, which will be held in April 2012, and

WHEREAS the City currently has \$1,935.87 on hand for use toward a replacement dog and a number of local businesses have approached the Police Department expressing interest in assisting with the estimated acquisition cost of \$7,000,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown authorizes the continuation of the City of Watertown K-9 program and the acquisition of a dog for training as a K-9 for use by the City Police Department.

Council Member Teresa R. Macaluso

Rules waived by Motion of Council Member Roxanne M. Burns, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Engineering and Consultant Projects

A spreadsheet listing the capital projects and/or projects requiring consultant services from 2006-2012 to date was available for Council's review.

Sales Tax Revenue – January 2012

Mayor Graham remarked that the sales tax report seemed to show that it was flattening out.

Mrs. Corriveau reminded him that this shows monthly estimates and that quarterly figures would be available in April.

R. P. Flower Memorial Library, Board of Trustees, Meeting Minutes of January 10, 2012

The minutes from the Board of Trustees' meeting for the R. P. Flower Memorial Library were available for Council's review.

Concession Stand at the Ice Arena

Mayor Graham stated that he attended the recent Figure Skating contest at the Ice Arena and commented on how well the concession stand looked. He added that the cash registers were working well.

ATM's installed at Fairgrounds and City Hall

Mayor Graham mentioned that he spoke with Mr. Mills regarding installing an ATM at the Arena and/or City Hall. He stated that there is no upfront or maintenance costs and it is a source of revenue.

James Mills, City Comptroller commented that he is still researching this.

Crockpots with outside food at the Ice Arena

Mayor Graham pointed out that he saw a room with outside food being served from crockpots. He stated that it is not allowed to prepare food in noncommercial kitchens and then serve it to the public. He noted that this causes issues with the Health Department and wondered if the City has a policy regarding this.

Mrs. Corriveau responded that she was not aware that this was occurring and will look into it.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 7:53 P.M. by motion of Council Member Teresa R. Macaluso, seconded by Council Member Roxanne M. Burns and carried with all voting in favor thereof.

Ann M. Saunders

City Clerk